

AMENDED IN ASSEMBLY APRIL 5, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2928

Introduced by Assembly Member ~~Laird~~ Members *Laird and Lieu*

February 24, 2006

~~An act to amend Section 40051 of the Public Resources Code, relating to solid waste. An act to add Part 5.5 (commencing with Section 71450) to Division 34 of the Public Resources Code, relating to environmental protection.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2928, as amended, Laird. ~~Solid waste: green~~ Green building construction: *guidelines*.

Existing law sets forth various requirements for energy and design efficiency in the construction and renovation of state buildings.

This bill would require the California Integrated Waste Management Board, by January 1, 2008, to develop, adopt, and make available voluntary green building guidelines for residential home construction. The bill would require the guidelines developed by the board to include measures regarding energy efficiency, water efficiency, materials efficiency, and indoor environmental quality, and a method for determining life-cycle cost. The bill would require the board to develop the voluntary guidelines in consultation with appropriate state agencies, and specified public and private sector organizations and to consider relevant existing guidelines, as specified.

The bill would require the board to develop, adopt, and make available information to local agencies on promoting the use of those

guidelines and would authorize the board to provide related technical assistance and training to local agencies.

~~(1) The California Integrated Waste Management Act of 1989 requires the Integrated Waste Management Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.~~

~~Under existing law, the act requires each city, county, and regional agency, if any, to develop and implement a source reduction and recycling element of an integrated waste management plan containing specified components. The first and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, through source reduction, recycling, and composting activities, except as specified.~~

~~This bill would additionally require the board and local agencies to maximize the use of green building construction, thereby imposing a state-mandated local program by imposing new duties upon local agencies.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~ no.~~

The people of the State of California do enact as follows:

1 SECTION 1. Part 5.5 (commencing with Section 71450) is
2 added to Division 34 of the Public Resources Code, to read:

3

4 PART 5.5. GREEN BUILDING GUIDELINES

5

6 71450. The Legislature hereby finds and declares all of the
7 following:

8 (a) In 2005, the state had approximately 12.9 million existing
9 housing units and, in 2003, construction investment in the state
10 for new residential housing totaled thirty-four billion dollars
11 (\$34,000,000,000).

1 ***(b) The construction of a 2,000 square foot home generates***
2 ***three to five tons of waste. Cumulatively, California residences***
3 ***use approximately 5.6 million acre-feet of applied water***
4 ***annually. And the residential sector accounts for roughly 31***
5 ***percent of the electricity consumed in the state.***

6 ***(c) The state is committed to providing leadership on energy,***
7 ***environmental, and public health issues by implementing***
8 ***innovative and resource-efficient building design practices and***
9 ***other programs that improve the lives of the state's 34.5 million***
10 ***residents.***

11 ***(d) Green building practices utilize energy, water, and***
12 ***materials efficiently throughout the building life cycle, enhance***
13 ***indoor air quality, and incorporate environmentally preferable***
14 ***products, and protect the building occupant's health.***

15 ***(e) The widespread adoption of green building principles***
16 ***would result in significant long-term benefits to the state's***
17 ***environment, including reduction in the demand for energy,***
18 ***water, and waste stream services, and the fiscal and***
19 ***environmental impacts resulting from the expansion of these***
20 ***infrastructures.***

21 ***71451. For purposes of this part, the following definitions***
22 ***shall apply:***

23 ***(a) "Board" means the California Integrated Waste***
24 ***Management Board.***

25 ***(b) "Green building" means a project designed to reduce both***
26 ***direct and indirect environmental consequences associated with***
27 ***its construction, use, operation, maintenance, and eventual***
28 ***decommissioning, the design of which is evaluated for cost,***
29 ***quality-of-life impacts, future flexibility, ease of maintenance,***
30 ***energy and resource efficiency, and overall environmental***
31 ***impact, with an emphasis on life-cycle cost analysis.***

32 ***71452. (a) On or before January 1, 2008, the board shall***
33 ***develop, adopt, and make available, voluntary green building***
34 ***guidelines for residential home construction. The guidelines***
35 ***developed pursuant to this part shall include, but not be limited***
36 ***to, all of the following:***

37 ***(1) Energy efficiency, conservation, or renewable generation***
38 ***measures.***

39 ***(2) Water efficiency, conservation, and reuse measures.***

40 ***(3) Materials efficiency, conservation, and reuse measures.***

1 (4) *Indoor environmental quality measures, including indoor*
2 *air quality.*

3 (5) *A method for determining life-cycle cost, including*
4 *evaluating the relative effectiveness, cost, and life-cycle savings,*
5 *if any, by the use of the individual or multiple green building*
6 *measures specified in paragraphs (1) to (4), inclusive.*

7 (b) *In developing voluntary guidelines pursuant to this part,*
8 *the board shall consult with appropriate state agencies, the*
9 *building and construction industry, recognized environmental*
10 *advocacy groups, the League of California Cities, the California*
11 *State Association of Counties, interested organizations, and the*
12 *public.*

13 (c) *In adopting voluntary guidelines pursuant to this part, the*
14 *board shall consider all relevant existing guidelines including,*
15 *but not limited to, both of the following:*

16 (1) *The rating system for homes, developed as part of the*
17 *Green Building Rating System” by the United States Green*
18 *Building Council’s Leadership in Energy and Environmental*
19 *Design (LEED).*

20 (2) *The “New Home Construction Green Building Guidelines”*
21 *developed by the Alameda County Waste Management Authority*
22 *and the Alameda County Source Reduction and Recycling Board.*

23 (d) *The board shall develop, adopt, and make available to*
24 *local agencies, along with the guidelines, information on*
25 *promoting the use of the guidelines for residential construction.*
26 *The board may provide technical assistance and training to local*
27 *agencies regarding the guidelines.*

28 (e) *The board may revise, if deemed necessary by the board,*
29 *the guidelines developed pursuant to this part in consultation*
30 *with the entities set forth in subdivision (b).*

31 ~~SECTION 1. Section 40051 of the Public Resources Code is~~
32 ~~amended to read:~~

33 ~~40051. In implementing this division, the board and local~~
34 ~~agencies shall do both of the following:~~

35 ~~(a) Promote the following waste management practices in~~
36 ~~order of priority:~~

37 ~~(1) Source reduction.~~

38 ~~(2) Recycling and composting.~~

39 ~~(3) Environmentally safe transformation and environmentally~~
40 ~~safe land disposal, at the discretion of the city or county.~~

1 ~~(b) Maximize the use of all feasible source reduction,~~
2 ~~recycling, green building construction, and composting options in~~
3 ~~order to reduce the amount of solid waste that must be disposed~~
4 ~~of by transformation and land disposal. For wastes that cannot~~
5 ~~feasibly be reduced at their source, recycled, or composted, the~~
6 ~~local agency may use environmentally safe transformation or~~
7 ~~environmentally safe land disposal, or both of those practices.~~

8 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
9 ~~Section 6 of Article XIII B of the California Constitution because~~
10 ~~a local agency or school district has the authority to levy service~~
11 ~~charges, fees, or assessments sufficient to pay for the program or~~
12 ~~level of service mandated by this act, within the meaning of~~
13 ~~Section 17556 of the Government Code.~~